

**REPORT OF THE  
CHIEF LEGISLATIVE ANALYST**

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DATE: October 17, 2016

TO: Honorable Members of the Rules, Elections, Intergovernmental Relations, and  
Neighborhoods Committee

FROM: Sharon M. Tso  Council File No: 15-0002-S206  
Chief Legislative Analyst Assignment No: 16-08-0691

SUBJECT: Resolution (Harris-Dawson – Martinez - Wesson) in support of AB 1731 (Atkins)

CLA RECOMMENDATION: Adopt Resolution (Harris-Dawson - Martinez - Wesson) to include in the City's 2015 - 2016 State Legislative Program SUPPORT for AB 1731 (Atkins), which would create a statewide Interagency Human Trafficking Task Force within the California Department of Justice.

SUMMARY

On August 17, 2016, a Resolution (Harris-Dawson - Martinez - Wesson) was introduced in support of AB 1731, which would create a statewide interagency human trafficking task force within the California Department of Justice. The Resolution states that human trafficking is a serious problem, and that California has consistently led the United States in efforts to combat this problem. The Resolution further states, that while much is being done at the state level to address this problem, there is no entity coordinating the efforts of agencies across the state who are working to end human trafficking.

The Resolution states that AB 1731 (Atkins) would create a task force within the California Department of Justice, which would be responsible for gathering statewide data on human trafficking, recommending interagency protocols and best practices for training, outreach to organizations involved in combatting human trafficking and evaluating and implementing new approaches to increasing public awareness of this issue. The Resolution states that this task force would enable California to more effectively address human trafficking issues. The Resolution, therefore, seeks an official position of the City of Los Angeles to support AB 1731.

BACKGROUND

Human trafficking is a significant problem in California, with its international border, many airports and harbors and large immigrant population making it a major entry point into the United States, as well as a destination in its own right for traffickers looking to force victims into forced labor or prostitution. In 2005, the California Legislature passed AB 22 (Lieber), which created the state's first human trafficking task force. The task force issued a report in 2007 with various recommendations on how to address the problem, and was subsequently dissolved. Since then, there have been other temporary working groups established at the state level, as well as nine regional task forces focused on combatting human trafficking. In 2016, over twenty pieces of legislation related to human trafficking were introduced in the Legislature.

While much has been done on this issue, there is no state-wide body responsible for gathering data on human trafficking, making recommendations on policies and procedures that would best address this problem, or coordinating the efforts of various agencies throughout the state. AB 1731 would establish a statewide interagency task force on human trafficking within the California Department of Justice. This task force would be responsible for coordinating the efforts of all state agencies, collecting data related to human trafficking from around the state, and monitoring the effectiveness of human trafficking legislation. This task force would ensure that the state is addressing the problem in a more effective manner, collect and analyze pertinent data, and enable the state to more efficiently work to end human trafficking.

DEPARTMENTS NOTIFIED

Police Department

BILL STATUS

01/28/2016	Bill introduced in Assembly
02/18/2016	Referred to Assembly committee on Public Safety
03/01/2016	From committee: Do pass and re-referred to the Assembly committee on Appropriations
05/27/2016	From committee: Amend, and do pass as amended
06/01/2016	Read third time. Passed. Ordered to Senate
06/02/2016	In Senate. Read first time. To committee on Rules for assignment
06/09/2016	Referred to the Senate committee on Public Safety
06/22/2016	From committee: passed and referred to the Senate committee on Appropriations
08/01/2016	In committee: referred to Appropriations suspense file
08/11/2016	In committee: held under submission

  
Joshua W. Drake  
Analyst

SMT:jwd

Attachments: Resolution (Harris-Dawson - Martinez - Wesson)  
AB 1731 (Atkins)

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RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, human trafficking is an ongoing problem in the United States, with thousands of people being coerced into forced labor or prostitution across the country; and

WHEREAS, California recognizes this is a serious problem, and has consistently lead the United States in efforts to combat human trafficking; and

WHEREAS, over twenty bills have been introduced in the state legislature since January 2016 to address human trafficking issues; and

WHEREAS, while much is being done to address this issue, there is no statewide entity coordinating the efforts of agencies across the state, collecting and analyzing data on this issue, or monitoring the effectiveness of legislation designed to combat human trafficking; and

WHEREAS, statewide coordination is necessary if California wants to effectively work towards ending human trafficking; and

WHEREAS, AB 1731 (Atkins) would create a Statewide Interagency Human Trafficking Task Force within the California Department of Justice; and

WHEREAS, this task force would be responsible for gathering statewide data on issues related to human trafficking, recommending interagency protocols and best practices for training and outreach to organizations involved in combatting human trafficking and evaluating and implementing new approaches to increasing public awareness of this issue; and

WHEREAS, the bill would authorize the task force to create an advisory committee or advisory committees, comprised of subject matter experts, including but not limited to, representatives of relevant county and municipal agencies, survivors, businesses, nonprofit organizations, and any other entities, groups, or individuals the task force deems appropriate; and

WHEREAS, this task force would enable California to more effectively measure human trafficking and come up with solutions to address this problem in the state;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2015 - 2016 State Legislative Program SUPPORT for AB 1731 (Atkins), which would create a statewide Interagency Human Trafficking Task Force within the California Department of Justice.

PRESENTED BY:

MARQUEECE HARRIS-DAWSON  
Councilmember, 8<sup>th</sup> District

  
NURY MARTINEZ  
Councilwoman, 6<sup>th</sup> District

SECONDED BY:

  
AUG 17 2016

ORIGINAL

AMENDED IN SENATE AUGUST 1, 2016

AMENDED IN ASSEMBLY MAY 27, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1731**

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**Introduced by Assembly Member Atkins**

*(Principal coauthor: Senator Jackson)*

*(Coauthors: Assembly Members Campos, Chu, Dodd, Eduardo Garcia, Cristina Garcia, Gordon, Grove, Mayes, Olsen, Mark Stone, and Williams)*

January 28, 2016

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An act to add Section 236.13 to the Penal Code, relating to human trafficking.

LEGISLATIVE COUNSEL'S DIGEST

AB 1731, as amended, Atkins. Human trafficking: Statewide Interagency Human Trafficking Task Force.

Under existing law, anyone who deprives or violates the personal liberty of another with the intent to obtain forced labor or services, or with the intent to effect a violation of specified sex crimes is guilty of human trafficking. Under existing law, any person who causes a minor to engage in a commercial sex act, with the intent to violate specified sex crimes, is guilty of human trafficking.

This bill would create the Statewide Interagency Human Trafficking Task Force within the Department of Justice, which would consist of representatives from several state agencies and be chaired by a representative from the Department of Justice. The bill would require the task force to gather statewide data on sex and labor traffickers, sex buyers, and human trafficking—~~victims~~, *victims* to recommend

interagency protocols and best practices for training and outreach to law enforcement, victim service providers, and other state and private sector employees likely to encounter ~~sex trafficking~~, *human trafficking* and to evaluate and implement approaches to increase public awareness about human trafficking. *The bill would authorize the task force to create an advisory committee or advisory committees comprised of subject matter experts, as provided.* The bill would prohibit the task force from duplicating the protocols developed by the California Child Welfare Council.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 236.13 is added to the Penal Code, to  
2 read:
- 3 236.13. (a) The Statewide Interagency Human Trafficking  
4 Task Force is hereby created within the Department of Justice,  
5 consisting of representatives from all of the following agencies:
- 6 (1) A representative of the Department of Justice shall be the  
7 chair of the task force.
- 8 (2) The State Department of Social Services.
- 9 (3) The Children and Family Services Division of the State  
10 Department of Social Services.
- 11 (4) The Labor and Workforce Development Agency.
- 12 (5) The State Department of Public Health.
- 13 (6) The Department of Corrections and Rehabilitation.
- 14 (7) The State Department of Education.
- 15 (8) The Judicial Council.
- 16 (9) The California Victim Compensation and Government  
17 Claims Board.
- 18 (10) *The Department of Consumer Affairs.*
- 19 (b) The task force shall do all of the following:
- 20 (1) Gather statewide data on sex and labor traffickers, sex  
21 buyers, and human trafficking victims, including statistics on  
22 prosecution of offenders as well as services provided to victims,  
23 including commercially sexually exploited children.
- 24 (2) Recommend interagency protocols and best practices for  
25 training and outreach to the law enforcement community, victim  
26 service providers, and other state or private sector employees likely

1 to encounter *human* trafficking, such as educators and hotel  
2 workers.

3 (3) Evaluate and implement approaches to increase public  
4 awareness about human trafficking and make new  
5 recommendations on these approaches.

6 (c) The protocols described in subdivision (b) shall not duplicate  
7 the protocols developed by the California Child Welfare Council,  
8 established by Section 16540 of the Welfare and Institutions Code,  
9 to implement the provisions of Section 16524 of the Welfare and  
10 Institutions Code.

11 (d) *If the task force determines that the expertise of an advisory*  
12 *committee or advisory committees is needed to execute the duties*  
13 *imposed upon it pursuant to this section, the task force may create*  
14 *an advisory committee or advisory committees comprised of subject*  
15 *matter experts, including, but not limited to, representatives of*  
16 *relevant county and municipal agencies, survivors, businesses,*  
17 *nonprofit organizations, and any other entities, groups, or*  
18 *individuals the task force deems appropriate.*